



State of Washington  
**DEPARTMENT OF FISH AND WILDLIFE**  
Region 6 Office: 48 Devonshire Road - Montesano, Washington 98563-9618 - (360) 249-4628

Letter 2

18 March 2002

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ASSET MANAGEMENT  
& PROTECTION DIVISION

Dave Dietzman  
Washington Department of Natural Resources  
P.O.Box 47015  
Olympia, Washington 98504-47015

Dear Mr. Dietzman:

**SUBJECT:** Comments on draft DEIS for proposed Mats Mats Bay expansion (File # 00-042001) and transfer of existing permit.

The Washington Department of Fish and Wildlife (WDFW) received the DEIS on 1 March 2002 and offers the following comments at this time. Other comments may be offered as the project progresses. The agency provided scoping comments in 19 May 2000. The following is a review of the DEIS relative to WDFW comments.

To reiterate, Mats Mats quarry borders both Admiralty Inlet and Mats Mats Bay. The current owner, Lonestar Northwest, has requested to expand mining approval to -60'MLLW. It has also requested a transfer of the existing mining permit, currently under the name of General Construction.

The WDFW is now responsible for managing habitat for salmonid species listed under the federal Endangered Species Act (ESA), including Hood Canal summer chum and Puget Sound chinook. Habitat of these species and their food resources is defined by the state as critical habitat (WAC 220-110-250). These ESA species use the shoreline associated with the quarry, including Admiralty Inlet and Mats Mats Bay (Hershi 1999). Hood Canal summer chum and cutthroat have been documented to use the creek within Mats Mats Bay. Trout Unlimited is restoring this creek for coho use. Sand lance, surf smelt and herring, collectively known as baitfish, and cited by state law as critical salmonid food resource, are documented to spawn on tidelands of Admiralty Inlet immediately adjacent to the subject property. Eelgrass, a critical habitat, is located on tidelands adjacent to the subject property (Admiralty Inlet side), and in the immediate vicinity of the dock. These critical resources are on public tidelands that border the subject property along the Admiralty Inlet side of the property.

To reiterate, Mats Mats bay is shallow and semi-enclosed in an area that is documented to experience seasonal stratification and high nitrogen levels. It is therefore predisposed for water quality impacts including sedimentation, nutrient loading, and eutrophication. Juvenile fish, including federally listed species and their forage fish, oyster, and other shellfish, as well as the habitats themselves are extremely sensitive to these water quality impacts (see Shaffer 2002). The

high quality of the existing habitat, the importance to federally listed species, and sensitivity to anthropogenic activities indicate that both current and proposed additional mining activities may affect the site and should receive adequate scrutiny. The seasonal nutrient elevations and stratification documented for Admiralty Inlet indicates that shoreline habitats along the eastern side of the project (along Admiralty Inlet) are also vulnerable to sedimentation and water quality impacts that may be associated with current and proposed activities.

In scoping comments, the WDFW encouraged the DNR to adequately assess impacts of the current and proposed activities on nearshore marine habitats and resources of Admiralty Inlet and Mats Mats Bay. Specifically we recommended that the DNR focus particular attention to circulation patterns of nearshore Admiralty Inlet and Mats Mats Bay area and their relationship to storm water run off of the site, as well as marine transport of particulate (from both barge loading and unloading and dust). WDFW recommended that this analysis would be appropriate element of the proposed transfer of current mining activities under mining permit #70-10170 as well as proposed expansion of mining activities.

The DEIS does not adequately address significant current and potential marine impacts. Specifically:

The DEIS does not adequately address project impacts to federally listed salmonid species, including their habitat. Specifically, circulation patterns of Mats Mats Bay and adjacent shoreline of Admiralty Inlet are not, but need to be, defined. These patterns then need to be combined with sedimentation rates to define sedimentation rates, locations, and relationship to nearshore shell and finfish resource and habitats within Mats Mats Bay and along the adjoining shoreline of Admiralty Inlet.

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The marine survey needs to be broadened to the entire project area, including areas impacted by material transported via tidal circulation (Mats Mats Bay and adjacent Admiralty Inlet shoreline).

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The boat basin survey does not provide adequate information. Spillage from barging operations is a significant concern that needs to be adequately addressed. At a minimum, defining a) historic (pre-development) depth profiles, substrate and community composition at the barging site; b) historic, current, and projected spill rates, and; c) marine transport pathways, including depositional areas, of spilled and airborne material of both Mats Mats and Admiralty Inlet are necessary to determine what impact current and future barging activities will have on the marine environment.

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The agency does not agree with conclusions based on the boat basin marine survey (page 3.4.15) that find that the 'material spilled from barges is native' and that 'impacts of spillage will be (and are) temporary' (pg 3.4.20)', or that the 'the one observed eelgrass turion is 'imported'. Instead these observations may indicate that the barge loading is occurring in a low circulation area, and that significant loss of material off of the barge during barging operations has resulted in fill of what otherwise would be eelgrass habitat (as evidenced by the observed turion), a significant impact. Depth profiles described above would help determine this.

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Letter 2 (cont'd)

There are a number of errors in the DEIS which should be corrected.

The summary table (page S-4) does not include marine water quality and circulation as important marine habitat impacts. These were raised by WDFW in our scoping comments. Please address them.

The correct fish migration window is February to July (not March to July);

The nearshore of the project area is of extremely high quality, therefore of high value for both Puget Sound chinook and Hood Canal summer chum (pg 3.4.13-14);

The sporophyte (vegetated ) stage of *Nereocystis luetkeana* (bull kelp) grows as one stipe per holdfast. If the diver observed more than one stipe per holdfast they were likely looking at another species (3.4.15).

In addition to assessing current and future impacts, that WDFW recommends: 1)The existing storm water management be improved at the site (in response to local landowner concerns) and any future storm water design be sufficient to prevent impacting water quality of the nearshore of Mats Mats and Admiralty Inlet. For example, maps show a 200 foot buffer around the site shoreline, but recent site visits have revealed mounds of mining material being stored within feet of the beach along large stretches of the shoreline. This has obvious storm water impacts as well as destroying the riparian corridor needed for juvenile fish migration and forage fish egg survival; 2)Adequate storm water routing to detention ponds needs to be confirmed, and improved if found lacking; 3)The size and retention time of the storm water ponds need to be confirmed as adequate for both current and future mining activities; 4)Additional steps also need to be taken to prevent direct storm water runoff, air transport of particulate matter, and spillage from barging operations into marine habitats; 5)Material needs to be removed from within the 200' shoreline zone, and the riparian corridor restored, and; 6) Adequate (at a minimum monthly) water quality monitoring, including nutrients, sedimentation, and DO, of the marine habitat of Mats Mat and adjacent Admiralty Inlet shoreline should be initiated as soon as possible. The WDFW will be available to assist in these efforts..

Thank you for the opportunity to provide these comments. If you have any questions, please contact me at (360) 457-2634.

Sincerely,



J. Anne Shaffer  
Area Marine Habitat Biologist

JAS:jas

cc: SEPA Coordinator, WDFW  
SEPA Coordinator, DOE

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## Response to Letter 2

### STATE DEPARTMENT OF FISH AND WILDLIFE

1. Storm water runoff and fugitive dust are two potential sources of marine sediment that were evaluated for the project. Storm water would be treated to remove sediment in accordance with the State Water Quality Standards and NPDES permit requirements for the quarry prior to being discharged to the bay. Turbidity levels are predicted to be within state standards based on sampling results from the existing mining operations and a review of proposed treatment facilities (refer to the *Groundwater* section of this Final EIS). A monitoring program would be continued under terms of the NPDES permit to ensure these standards are met.

An analysis of the contribution of fugitive dust to sedimentation rates was completed for the EIS (refer to the *Air Quality* section of this Final EIS). Peak sediment deposition rates as a result of project operations were computed to be a maximum of 1.2 millimeters over 100 years of operation. As the expected lifetime of the project is 16 years, the total would be expected to be closer to 0.2 millimeters. This is likely substantially less than what is contributed by other sources such as carried by streams and along shore littoral transport of sediment to the bay.

Unlike storm water runoff or fugitive dust, barge traffic would not increase the potential for sediment contribution. However, tugboat operations associated with barge activities have potential to resuspend sediment in the berthing area. All tugboat operations at the site occur in deep water where propeller wash would not resuspend sediment, or inside the breakwaters protecting the barge berthing areas. Typically, tugboats operating within the breakwaters move slowly for safety reasons and are unlikely to generate propeller wash velocities that scour the bottom and resuspend a substantial amount of sediment. Sediment that is resuspended in the breakwaters resettles within the breakwater or drifts out of the opening between the breakwaters where it is swept away by the along shore current in Admiralty Inlet and quickly dissipates. In any case, sediment resuspension and transport by propeller wash at the facility is intermittent, and is minor compared to the amount of sediment resuspended and transported by wave action along the shore in the area. Because tugboat operations associated with barging would not change under the proposal, the amount of sediment resuspended is not expected to change as a result of the Proposed Action. Because sediment resuspension associated with barge operations occurs intermittently and is minor, it is not anticipated that extending the duration of barge activities as proposed would significantly change turbidity or sedimentation impacts to marine resources near the site.

The expected sediment delivery rate is inconsequential in its ability to impact aquatic species, even if it were to become locally concentrated by tidal action. With only inconsequential sediment delivery expected as a result of the *Proposed Action*, a significant adverse effect is not reasonably expected and detailed analysis under SEPA was not deemed warranted (WAC 197-11-408 (b); 197-11-440 (6) (a)).

2. The marine survey performed for the EIS was conducted in areas with the greatest potential to suffer adverse effects from the *Proposed Action*. In this case, barge and tug traffic, and the need to occasionally dredge spilled sediments from around the barge

loading facility provided the greatest potential for damage to any sensitive species in this area. Sedimentation rates and potential water quality impacts for the rest of the marine area around the project site were evaluated in the EIS. The marine survey adequately analyzed impacts and it was determined that both barge loading/unloading and dredging have a negligible potential for effect.

3. Consistent with WAC 197-11-440(6)(a), project effects are evaluated against existing conditions, not the historic conditions. In addition, no historic data of the caliber required for a quantitative analysis of potential effects is available. For the purposes of this EIS, continued periodic dredging near the barge facilities is assumed to be required every five years based on the loading and unloading of a maximum of four 4,000-ton barges per day. However, over the past several years Glacier Northwest has implemented spill prevention measures to limit spillage from barges into the water. With continued implementation of the measures, it is anticipated that dredging would not be required as frequently as in the past. If dredging were to be required, separate environmental review would be performed.

Material spilled from the barges would consist primarily of large rock rolling off the piles deposited on the barge's deck. Smaller amounts of all other sizes would also occasionally be deposited. All rock would rapidly settle to the bottom in the vicinity of the barges. Only very fine grain sediment would stay suspended long enough to migrate out of the barge loading area and into the currents. The expected sediment delivery rate is inconsequential in its ability to impact aquatic species, even if it were to become locally concentrated by tidal action. While a detailed study of the type recommended in the comment could be completed to predict if and where the sediment would ultimately collect, a significant adverse impact to marine resources is not reasonably expected and detailed analysis under SEPA is not warranted (WAC 197-11-408 (b); 197-11-440 (6) (a)).

4. Comment acknowledged. While the marine resources analysis can generally speculate what types of habitat the bed in the barge loading area historically (40 years ago) contained, project impacts are evaluated against existing conditions (WAC 197-11-440 (6) (a)). The existing conditions are as described in the *Plants and Animals* section of this Final EIS, including the one eelgrass turion and previously dredged bed.
5. The Draft EIS summary table (page S-4) acknowledged the importance of water quality and barging activities to fisheries resources. The following statement was included in the Draft EIS Summary Table: "*The primary marine habitat impact concerns associated with barge activities include - dredging of spilled material; petroleum spills from marine equipment activity; habitat degradation from barge and ramp facility shading; and, impacts to water quality from mining and barge traffic activities.*"
6. Comment acknowledged. The discussion on fisheries migration has been updated to reflect the February to July fish migration window.
7. Comment acknowledged. The cited sentence that describes chinook and chum habitat quality in the vicinity of the project as "not unusually valuable" has been removed from this Final EIS. As part of its responsibilities under the ESA, the National Marine Fisheries Service (NMFS) designated critical habitat for the Puget Sound Chinook salmon ESU. Designated critical habitat for this ESU included "all marine, estuarine,

and river reaches accessible to listed Chinook salmon in Puget Sound.” However, the critical habitat designations were vacated pursuant to a consent order approved April 30, 2002. Please also refer to response to comment 1 of this letter.

8. Comment acknowledged. It is believed that four of the stipes were actually part of two distinct groups with intertwined holdfasts. The divers doing the survey were highly experienced marine biologists familiar with Puget Sound marine life. The cited sentence has been modified to state “Six bull kelp stipes were noted.”
9. Comment acknowledged. The stormwater system on the site is, and would continue to be, designed and implemented consistent with NPDES/Stormwater Discharge Permit conditions and standards. Water quality has been maintained by Glacier Northwest and future water quality impacts would not be anticipated.
10. During mining, stormwater runoff and mine dewatering are routed through a water quality treatment pond or vault prior to discharge to Mats Mats Bay. The Bay is a part of Puget Sound and is thus a direct discharge receiving water that does not require, and would not benefit from, detention. At reclamation, stormwater runoff would be routed through a water quality treatment pond prior to discharge to Admiralty Inlet. The Inlet is a part of Puget Sound and thus is a direct discharge receiving water that does not require, and would not benefit from, detention.
11. Stormwater runoff from the site is conveyed to a multi-celled drainage system (S-1). The first cell dissipates hydraulic energy, while the remaining cells act to settle out sediments. The cells are separated by check dams constructed sequentially of sand, gravel, and crushed rock. The intent of the check dams is to allow the passage of water, while capturing suspended solids. Discharge from this drainage system enters Mats Mats Bay via an outfall pipe on the south bank of the old Mats Mats Bay slip. This multi-celled pond is approximately 0.5 acre in size.

The S-1 outfall has been monitored under the Sand and Gravel General Permit by Lone Star Northwest, Inc. and Glacier Northwest from October 1995. Monitoring has included turbidity, pH, and TSS per the requirements of the Sand and Gravel General Permit. All of the pH and TSS measurements met the applicable Sand and Gravel General Permit discharge limitations.

12. Comment acknowledged. Subsequent to the issuance of the Draft EIS, additional mitigation measures to minimize environmental impacts to air quality from particulate matter from the *Proposed Action* have been identified in this Final EIS and are included in *Air Quality* section of this document. Measures to minimize water quantity and water quality impacts related to stormwater runoff and barge activities were identified in the Draft EIS and are provided in the *Surface Water* and *Plants & Animals* section of this Final EIS.
13. The cited stockpiled material has been removed. A Shoreline Restoration Plan to restore area of prior disturbance of shoreline buffer area (within 200 feet of the shoreline) has been reviewed by Jefferson County and is currently being implemented.
14. Comment acknowledged. Stormwater from the site is currently monitored under the NPDES Stormwater Discharge Permit and additional monitoring does not appear warranted. Significant impacts to marine water quality were not identified by the water

quality analysis performed for this EIS (refer to the *Surface Water* section of this Final EIS for detail).